



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,039	10/17/2001	Mei-Ling Po	BHT-3167-20	3672

7590 10/27/2005

DOUGHERTY & TROXELL
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH, VA 22041

EXAMINER

GRAYSAY, TAMARA L

ART UNIT	PAPER NUMBER
----------	--------------

3623

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/978,039	Applicant(s) PO, MEI-LING	
	Examiner Tamara L. Graysay	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 11 is/are rejected.
- 7) ☒ Claim(s) 3-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) <u>2 pages</u> . | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The disclosure is objected to because of the following informalities:
 - Page 6, line 1, for is misspelled.
 - Page 7, line 24 through page 8, line 1, reads, “the system 110 receives the issue and judges the issue exits in the action database or not? The sentence does not make sense in the context of the issue “exits” in the database. Perhaps applicant meant to indicate that the expert system receives the request and then the expert system judges whether the solution exists in the databases or not.
 - Page 8, line 2, “requested” should be request.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldin (article, Ready for the future?) in view of Hirsch (article, Artificial intelligence comes of age).

Goldin discloses a system for providing solution and training program for a user to promote an engineer's ability to solve an issue, the system comprising: an expert system (expert system including a tutoring system having feedback and learner support, p.62, paragraph 5); a training center (computer-based instruction including text and graphics inherently stores training materials and programs, p.62, paragraph 4); a solution model database (the system selected the next task or problem and determined information the user received, p.62, paragraph 5; modules selected to meet user needs, p.63, paragraph 8); a technical document center (knowledge representation technologies that support storage, maintenance, retrieval, and application of engineering knowledge and skill, p.63, paragraph 6); and an engineer query system (on-demand training in which the user receives training at the time it is needed for performing a particular task, p.63, paragraph 3; and user's needs are met through interactive feedback, p.63, paragraph 8).

Art Unit: 3623

Goldin lacks the expert system performing analyzing and judging functions for retrieving solutions and tools for the user. However, Goldin does include an expert system as noted above. The expert system includes feedback and user support.

Hirsch teaches an expert system that is used for tutoring a user. The system includes rules as to how the data in the knowledge base work together. So, when a user inputs information related to the operation and construction of a system during training, the tutoring system uses the expert rules to analyze and judge the user inputs to retrieve the conditions that result from the user input to provide feedback and support. See the reference as a whole, including p.6, paragraph 6, for example.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the expert system of Goldin to include analyzing and judging functions, such as suggested by Hirsch, in order to properly evaluate the user during tutoring.

Regarding claim 2, the particular information stored in the training center is a matter of design choice that is within the level of ordinary skill in the art such that the explicit models of tutoring and domain knowledge referenced at p.62, paragraph 5, for example, would have been relevant to the field of endeavor of the user sought to be tutored or trained. In a manufacturing field, the knowledge base includes manufacturing processes, technical backgrounds, machine data, and operating manuals, such as suggested by the knowledge base in Hirsch that includes data for products used in system development, i.e., the system is operated in a virtual simulation environment where a virtual pressure gauge, on a line having a valve, will accurately indicate the pressure conditions encountered when the valve is virtually opened.

Regarding claim 11, the descriptor of the presentation materials being “customer” presentation materials does not structurally define over the materials that are presented to the user in the Goldin system (links to resources and archived knowledge are exhibitions as broadly recited, and performance evaluations are inherently reports, as broadly recited, p.65, paragraph 5). Thus, the Goldin presentation material is provided for the user, even when the user is classified as a customer.

Allowable Subject Matter

4. Claims 3-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3623


Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is (571) 272-6728. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tamara L. Graysay
Examiner
Art Unit 3623

20051017